

REMARKS

As noted above, the outstanding Office Action has been carefully reviewed and considered. The Examiner's reminders regarding the continuing obligations under 37 C.F.R. 1.178(b) and 37 C.F.R. 1.56 are noted.

The Examiner has indicated that if the record is silent as to the existence of an assignee, it will be presumed that an assignee does exist, and assignee consent is lacking in the file. Applicant hereby submits that the present reissue Application and U.S. Pat. No. 5,906,407 have not been assigned.

The Examiner has further noted that the showing of support for amendatory changes per 37 CFR 1.173 is insufficient for new claims 39-50. Applicant has provided more specific showings of support in the amended Status of the Claims table beginning on page 2 of this document.

In view of this submission, it is respectfully submitted that the claims are now in condition for allowance and notification in that respect is earnestly solicited.

The Examiner's cooperation with the undersigned attorney is noted, once again, with great appreciation. If the undersigned attorney can be of any assistance to the Examiner in regard to any further matters requiring resolution prior to the issuance of a Notice of Allowance, the Examiner is respectfully urged to contact the undersigned attorney at the telephone number provided below. The Examiner's consideration in this regard will be further appreciated.

Respectfully submitted,

For the Applicant,

By his Attorneys

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Date: July 6, 2009

By: /Robert C. Freed/
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